

November 17, 1997

DURHAM, NORTH CAROLINA  
MONDAY, NOVEMBER 17, 1997  
7:30 P.M.

The Durham City Council met in regular session on the above date and time in the Council Chamber at City Hall with the following members present: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Absent: None.

Also present: City Manager P. Lamont Ewell, City Attorney Henry Blinder, City Clerk Margaret M. Bowers and Deputy City Clerk D. Ann Gray.

Mayor Kerckhoff called the meeting to order and at this time, a "Resolution Memorializing Wade L. Cavin, Sr." was read and presented to his son, Winston Cavin. Also, the Mayor presented Certificates of Service to R. Kelly Bryant; Wayne Cash; and Annette Montgomery for their dedicated service on the Durham Open and Space Trails Commission.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Ewell reminded the Council of the joint meeting between the Durham City Council and the Chapel Hill Town Council scheduled for Tuesday, November 18, 1997, 7:30 p.m., Blue Cross and Blue Shield. Also, Mr. Ewell noted that Diversitas, Inc. was prepared to present a presentation this evening on the cultural audit.

Jeffrey Atkins, of Diversitas, Inc., presented a slide presentation on the initial findings relative to the survey completed by city employees.

City Clerk Bowers informed the council of valid protest petitions filed against GBA Items 9 and 10. **[No priority items from the City Attorney]**

Mayor Kerckhoff asked if any council member(s) or citizen(s) wanted to pull any items from the Consent Agenda for discussion later in the meeting. The Mayor noted that Vivian Harris, a citizen, requested that Consent Item 9 [Repeal of Certain Actions Pertaining to the Landfill] be pulled. Mayor Kerckhoff reminded the council that the following Consent items were revised at the Committee-of-the-Whole Meeting on Thursday: Consent Items 6; 8; and 20.

**MOTION** by Council Member Larson seconded by Council Member Griffin to approve the Consent Agenda as amended was approved

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at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**[CONSENT AGENDA]**

**SUBJECT: MUNICIPAL RECORDS RETENTION AND DISPOSITION  
SCHEDULE - NORTH CAROLINA DEPARTMENT OF CULTURAL  
RESOURCES/DIVISION OF ARCHIVES AND HISTORY**

**MOTION** by Council Member Larson seconded by Council Member Griffin to approve the Municipal Records Retention and Disposition Schedule, issued by the North Carolina Department of Cultural Resources/Division of Archives and History; and, to direct the Director of Records Management/City Clerk to enter this approval into the minutes of the City Council; and

To adopt the Recommendation of the Director of Records Management/City Clerk, City Manager and Division of Archives and History and authorize the Mayor to sign the Agreement with the Department of Cultural Resources pertaining to the Municipal Records Retention and Disposition Schedule; and

To direct the Director of Records Management/City Clerk (in consultation with the City Manager) to develop, for Council consideration, a blanket enforcement policy and standards to ensure the integrity of all the City's records (inclusive of all records regardless of physical form or characteristics) that will address compliance with this schedule and enable cognizant review processes utilizing the Info-Image and Microfilming System was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: INVESTMENT ADVISOR SELECTION - NCM CAPITAL**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to execute an Investment Advisory Agreement between the City and NCM Capital was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley,

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Larson, McKissick, Miller and Wright. Noes: None. Absent  
At Time of Vote: Council Member Brown.

**SUBJECT: UNDERWRITER SELECTION - JACKSON SECURITIES**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to retain Jackson Securities as an underwriter was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: INTERLOCAL COOPERATION AGREEMENT BETWEEN DURHAM COUNTY AND DURHAM CITY FOR FIRE INSPECTIONS**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt the Interlocal Cooperation Agreement between the City and County of Durham to transfer the responsibility for fire inspections of County buildings located within the City of Durham from the City of Durham to the County of Durham was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: FINAL APPROVAL OF 1996 HOUSING BOND FUNDS/HOME FUNDS FOR TRIANGLE RESIDENTIAL OPTIONS FOR SUBSTANCE ABUSERS, INC. (TROSA) - ROXBORO STREET**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to execute a Loan Agreement with TROSA, Inc. in an amount not to exceed \$125,000 (\$75,000 from 1996 Housing Bond Funds and \$50,000 from HOME Funds), and to execute related loan closing documents, and to make minor changes to the Loan Agreement and other related loan closing documents as are consistent with the loan terms and the 1996 Housing Bond program requirements approved by City Council; and

To determine and find that mortgage loans for this rental housing project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff,

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Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: WALLTOWN HOMEOWNERSHIP HOME PROJECT, PHASE II -  
SELF-HELP DEVELOPMENT CORPORATION**

To authorize the City Manager to execute: (1) a Loan Agreement with Self-Help Development Corporation in the amount of (a) \$72,000 direct grant of HOME Funds for relocation assistance and (b) \$161,200 acquisition loan; (2) a Builder Participation Agreement with Self-Help Community Development Corporation in an amount not to exceed \$312,000 of HOME funds for permanent subordinate mortgage financing for income eligible buyers in Walltown; and (3) related loan closing documents as are consistent with the loan terms and the Fiscal Year 1995/96 HOME program requirements approved by City Council.

To determine and find that mortgage loans for this homeownership project are not otherwise available, wholly or in part, from public or private lenders upon equivalent or reasonably equivalent terms and conditions.

**MOTION** by Council Member Larson seconded by Council Member Griffin to hold this item until the December 15, 1997 City Council Meeting [to be sent through the December 4, 1997 Finance Committee Meeting] was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: INTERIM AMTRAK STATION PARKING LOT - NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to receive a report concerning a request to the North Carolina Department of Transportation to fund the costs of paving the parking lot at the Interim Amtrak Station was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

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**SUBJECT: WALLTOWN REVITALIZATION PLAN**

To adopt the *Walltown Revitalization Plan*.

**MOTION** by Council Member Larson seconded by Council Member Griffin to hold this item until the December 15, 1997 City Council Meeting [to be sent through the December 4, 1997 Finance Committee Meeting] was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: RESOLUTION IN CONJUNCTION WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REGARDING AT GRADE CROSSINGS OF THE AMERICAN TOBACCO TRAIL**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt "A Resolution to Facilitate the Creation and Protection of the American Tobacco Trail in Durham City and Durham County, North Carolina" to establish a partnership with NCDOT to discourage new at grade crossings of the American Tobacco Trail in order to preserve the trail for pedestrian, bicycle, and transit use was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Resolution #8404**

**SUBJECT: PROPOSED ACQUISITION FOR THE FUTURE EXPANSION OF LAKE MICHIE - PROPERTY OF CHARLOTTE H. WHITTED, ET AL JANICE HOLMAN HEIRS**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the acquisition of approximately 5.2 acres, land only, Tax Map 935-01-25, property of Charlotte H. Whitted, et al (Janie Holman Heirs) for \$36,150 was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

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**SUBJECT: PROPOSED CONDEMNATION OF WOODBRIDGE III LAND FOR  
THIRD FORK CREEK TRAIL**

**MOTION** by Council Member Larson seconded by Council Member Griffin to find that it is necessary, in the public interest, and for the public use and benefit, to condemn approximately 1.78 acres of property, as shown on the map for the North/South Trail, Segment G, Map 3, dated July 29, 1993; and, to authorize the City Attorney to initiate proceedings for that purpose with a deposit into court of \$1,400 as the City's estimate of Just Compensation was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY  
OF DURHAM AND THE CITY OF DURHAM REGARDING THE  
PROPERTY KNOWN AS OLD LYON PARK SCHOOL**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to enter into an Interlocal Cooperation Agreement between the City of Durham and the County of Durham regarding the future development and use of the old Lyon Park School facility in the Lyon Park Community was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: SHERWOOD PARK AREA INDOOR RECREATIONAL NEEDS - THE  
VILLAGE SQUARE SHOPPING CENTER**

**MOTION** by Council Member Larson seconded by Council Member Griffin to receive a report from the Administration concerning the provision of indoor recreational programs for the Sherwood Park area; and

To direct the Administration to secure a lease at The Village Square Shopping Center for this use was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

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**SUBJECT: PROPOSED SCHEDULE FOR NEW TAXICAB ORDINANCE**

**MOTION** by Council Member Larson seconded by Council Member Griffin to receive a report from the Administration on the proposed schedule for the New Taxicab Ordinance was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: RESOLUTION FROM THE TRANSPORTATION ADVISORY COMMITTEE (TAC) CONCERNING THE NC 751 CONNECTOR**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Clerk to respond to the TAC's request concerning the NC 751 Connector by sending a letter to Secretary of Transportation Garland Garrett verifying that the City Council's April 1, 1996 resolution to remove the Northwest/Northeast Loop from the State-municipal Thoroughfare Plan was made with regard to the entire Northeast/Northwest Loop (Eno Drive) from US 70 east of Durham to US 70 west of Durham, including the portion referred to as the "NC 751 Connector" was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: WATER EXTENSION AGREEMENT WITH DOMINION CAPITAL, INC. - PAGE PARK APARTMENTS**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to enter into a water extension agreement with Dominion Capital, Inc., general partner of Dominion PRA, for the extension of City water service to Page Park Apartments, a 346-unit, 29.467 acre multi-family development located on the southeast corner of the intersection of Page Road and T.W. Alexander Drive was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

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**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH HERNDON ROAD, L.L.C. - HERNDON ROAD SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to enter into a water and sewer extension agreement with Herndon Road, L.L.C. for the extension of City water and sewer service to the Herndon Road Subdivision, a 53-acre, 172-unit subdivision located on Herndon Road between Fayetteville and Massey Chapel Roads was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH WILLIAMS & WHITE BUILDERS, L.L.C. - ROYAL TROON SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to enter into a water and sewer extension agreement with Williams & White Builders, L.L.C. for the extension of City water and sewer service to the Royal Troon Subdivision, a 14.55-acre, 36-lot multi-family complex located on the northeast corner of the intersection of Umstead and Craig Roads was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: RESOLUTION COMMENDING THE DUKE SCHOOL FOR CHILDREN**

**MOTION** by Council Member Larson seconded by Council Member Griffin to direct the City Clerk to draft a resolution commending the Duke School for Children on its 50th anniversary; and

To request the Mayor, on behalf of the Durham City Council, to acknowledge receipt of letters from the Duke School for Children students--thanking them and expressing pleasure for their visit to City Hall was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.



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**SUBJECT: LEGISLATIVE PROGRAM - PAYMENT OF STORM DRAINAGE IMPROVEMENTS**

**MOTION** by Council Member Larson seconded by Council Member Griffin to refer a request to the Legislative Subcommittee to ask for legislative authority to allow payment of storm drainage improvements over time by time payment to be secured by a lien on the property; and, to request that the item be included in the Short Session was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: SIGNAL INSTALLATION AT TIMOTHY AND FAYETTEVILLE STREETS**

**MOTION** by Council Member Larson seconded by Council Member Griffin to request the Mayor, on behalf of the Durham City Council, to send a letter to Secretary of Transportation Garland Garrett expressing thanks for the traffic signal at Timothy and Fayetteville Streets was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**SUBJECT: RESOLUTION AUTHORIZING THE ANNUAL CITY AUCTION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt a "Resolution Authorizing the Annual City Auction" to be held on Saturday, December 13, 1997 at 10:00 a.m. was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Resolution #8405**

**SUBJECT: TIME PAYMENT PETITIONS**

**MOTION** by Council Member Larson seconded by Council Member

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Griffin to approve the four (4) Time Payment Petitions as listed below was approved at 8:13 p.m. by the following vote:

Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

1. Betty A. Bunn - 4004 Bristlewood Drive - Sewer Lateral and Sewer Capital Facility Fee
2. Willetta and James Dantzler, Jr. - 1615 Amberley Drive - Water Lateral, Sewer Lateral, Water Capital Facility Fee and Sewer Capital Facility Fee
3. Clifford Lee Oakley, Jr. - 5202 Leesville Road - Water Lateral and Water Capital Facility Fee
4. Billy Watkins - 1106 High Fox Drive - Water Lateral, Sewer Lateral, Water Main, Sewer Main, Water Capital Facility Fee and Sewer Capital Facility Fee

**SUBJECT: SPEED LIMIT - GARRETT ROAD**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance authorizing the lowering of the speed limit to 40 miles per hour on Garrett Road from the north curb line with Old Chapel Hill Road, if extended, and extending northward to the north curb line with US-15-501, if extended was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Ordinance #11294**

**SUBJECT: STOP SIGN - BEN FRANKLIN BOULEVARD**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance authorizing the installation of a stop sign on Ben Franklin Boulevard at Danube Lane, southwest corner was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Ordinance #11295**

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**SUBJECT: STOP SIGNS - MARBREY LANDING SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

- 1) South Indiancreek Place at Armitage Drive, south corner; and
- 2) North Indiancreek Place at Armitage Drive, northwest corner

**Ordinance #11296**

**SUBJECT: STOP SIGNS - VANTAGE POINT SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

- 1) Dunnhaven Court at Stardust Drive, southwest corner; and
- 2) Burnley Court at Stardust Drive, northeast corner

**Ordinance #11297**

**SUBJECT: TWENTY-FIVE MILER PER HOUR SPEED LIMIT - BRACADA DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance establishing a 25 mile per hour speed limit on Bracada Drive from Newquay Street to Ferrand Drive was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Ordinance #11298**

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**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - DOLLAR AVENUE**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance establishing a 25 mile per hour speed limit on Dollar Avenue from Club Boulevard to Knox Street was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Ordinance #11299**

**SUBJECT: TWENTY-FIVE MILE PER HOUR - KNOX STREET**

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt an ordinance establishing a 25 mile per hour speed limit on Knox Street from Watts Street to Gregson Street was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

**Ordinance #11300**

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES - CITY CLERK'S OFFICE**

**MOTION** by Council Member Larson seconded by Council Member Griffin to approve the official minutes of the regular November 3, 1997 City Council meeting was approved at 8:13 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member Brown.

At this time, the Mayor asked the Council to take action on Consent Item 9 [Repeal of Certain Actions Pertaining to the Landfill].

**SUBJECT: REPEAL OF CERTAIN ACTIONS PERTAINING TO THE LANDFILL**

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Vivian Harris, President of the Gorman Community Association, stated members of their association were disappointed that a decision was made to place the permanent transfer station in their community without any involvement/input from the Gorman community. Ms. Harris noted the city had limited options for a landfill; however, their association believes there are many possible locations for a permanent transfer station including the original site on Fay Street. She stated the Gorman community should be compensated if they are forced to endure an additional twenty years of solid waste for Durham.

Peter Haines, Vice President of the Gorman Community Association, read the following statement concerning the transfer station in their community:

It is the position of the Gorman Community Association to support the following:

1. The City of Durham is placing an unfair share of the burden of solid waste disposal by placing yet another solid waste disposal site in our community.
2. We were led to believe that if the City should choose a transfer station as the means of disposing of solid waste, that they would use the Fay Street site which the City purchased for that purpose.
3. We have patiently attended meetings and waited while staff and Council struggled with this difficult issue.
4. As of this date we have not sued the City to make their work more difficult or expensive.
5. The Gorman Community Association was never informed or consulted that the Council was considering our community as the site for the permanent transfer station.
6. Since the City decided to write four consecutive five year contracts and not one twenty year contract, it has permanently left this community unsure of it's future, dependent on "economic conditions." Our property owners are damaged to the extent that every five years, for the next twenty years, they will not know if or when "economic conditions" might make us a favorable target for siting a landfill.
7. When considering Durham as a whole:
  - a) The residents of Durham City and Durham County must accept responsibility for the disposal of their own

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solid waste.

- b) We must move beyond our present voluntary recycling program and develop an aggressive and compulsory recycling program which requires all Durham City and County residents and businesses to act more responsibly in the disposal of solid waste.
- c) A transfer station site requires a much smaller parcel of land than does a landfill, thereby giving Durham many more choices for site selection. Why is Gorman forced, again, to bear the burden of Durham's solid waste disposal?
- 8. In offering the buy-out plan at the time of the landfill decision in 1996, the City Council recognized that they were causing a hardship on this community. The indecision which comes with the four consecutive, five year contracts is no less a hardship. Yet now, it would seem, we no longer have an opportunity to distance ourselves from the City's capricious decision making process.
- 9. Given all of the above, we petition the City for the following:
  - a) Locate the transfer station on the Fay Street site. The availability of rail and road access might prove beneficial in the future.
  - b) If the City puts the transfer station in Gorman, the community should be compensated:

Offer a restructured buy-out plan to the community and work with the Gorman Community Association to develop the new plan.

Work with the Gorman Community Association with regard to issues of concern to us such as: traffic, street and tree buffers.

Move the UGA line to the Army Corps of Engineers property line, within the Gorman community.

Within the Gorman community, make the watershed restrictions comparable to the restrictions on the Eno River, which is a similarly classed watershed.

Provide the Gorman Community Association with a copy of the environmental impact statement on the transfer station and support operations.

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Provide the Gorman Community Association with a copy of the City's contingency plans in the event of failure/closure of the Lawrenceville, VA landfill site.

Jackie Brown, a resident of Northeast Durham, stated that the present landfill and the proposed transfer station is not located in the Gorman community. Ms. Brown stated she was very happy the city would not be constructing another landfill and asked the council to take action this evening dropping the appeal. Also, Ms. Brown noted that she did support the Gorman Association's request to place the permanent transfer station on Fay Street.

**MOTION** by Council Member Larson seconded by Council Member Miller to receive the comments from the citizens;

To adopt a "Resolution Repealing Certain Actions Pertaining to a Landfill";

To set a public hearing on Monday, December 1, 1997 to receive citizen comments regarding the repeal of the "Franchise Ordinance for the City of Durham to Operate a Landfill"; and

To adopt a "Resolution Authorizing a Series of Performance Bonds in the Contract for Transportation and Disposal of Solid Waste" was approved at 8:25 p.m. by the following vote:  
Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**Resolution #8402**  
**Resolution #8403**

Senior Assistant City Manager Cecil Brown briefed council and the audience on the remaining steps relative to constructing the transfer station.

City Manager P. Lamont Ewell stated that once the bids are received and a design is available for the transfer station, information would be made available to the Gorman community.

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: Sewer Main - Angier Avenue** from Midway Avenue to

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Post Avenue

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Miller to adopt a resolution confirming the assessment roll for sewer main improvements on Angier Avenue from Midway Avenue to Post Avenue was approved at 8:29 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: Water Main - Burton Road** from end of water main to East Geer Street

To adopt a resolution ordering water main improvements on Burton Road from end of water main to East Geer Street.

City Engineer Ken Wright stated several property owners were requesting that their names be removed from the petition. He requested that the public hearing be continued without further advertising until the December 15, 1997 City Council Meeting and to refer the item to the Engineering Department.

**MOTION** by Council Member Larson seconded by Council Member Griffin to continue the public hearing without further advertising until the December 15, 1997 City Council and to refer the item to the Engineering Department was approved at 8:29 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: Water Main - Clayton Road** from N.C. 98 to Judy Avenue

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Griffin to adopt a resolution ordering water main



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improvements on Clayton Road from N. C. 98 to Judy Avenue was approved at 8:29 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: STREET CLOSINGS - SC96-14 - 39,233 SQUARE FEET OF BYNUM STREET, 20,552 SQUARE FEET OF LEWIS STREET; 27,564 SQUARE FEET OF YEARBY STREET; 16,213 SQUARE FEET OF PACE STREET AND 23,318 SQUARE FEET OF GARDEN PLACE AND SC97-4 - 42,126± SQUARE FEET OF VANCE STREET**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Paul Vick, representing Duke University, spoke in support of the street closings.

No one spoke in opposition. Mayor Kerckhoff closed the public hearing.

Council Members Cox and Wright spoke in opposition to this item.

**MOTION** by Council Member Larson seconded by Council Member Griffin to receive citizens' comments on the proposed street closings;

To adopt an Order Permanently Closing 39,233 Square Feet of Bynum Street, 20,552 Square Feet of Lewis Street; 27,564 Square Feet of Yearby Street; 16,213 Square Feet of Pace Street; and 23,318 Square Feet of Garden Place; and

To adopt an Order Permanently Closing 42,126± Square Feet of Vance Street was approved at 8:46 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Clement, Engelhard, Griffin, Hyman, Langley, Larson and McKissick. Noes: Council Members Cox, Miller, Brown and Wright. Absent: None.

**Ordinance #11301**

**Ordinance #11302**

**SUBJECT: MANGUM TOWNSHIP PLAN**

T. E. Austin, of the City/County Planning Department,

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addressed council on the purpose of tonight's hearing.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member McKissick seconded by Council Member Larson to receive the Mangum Township Plan;

To receive citizens' comments on the Mangum Township Plan;  
and

To adopt the Mangum Township Plan--subject to corrections and additions as shown in the attachment was approved at 8:48 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: ZONING MATTER CASE P97-61, AL HIGHT, 2300 SOUTH MIAMI BOULEVARD AND ELLIS ROAD**

Case: P97-61

Applicant: Al Hight

Location: 34.35 acres abutting 2300 S. Miami Boulevard and Ellis Road, west of Rochelle and Methodist Streets (Tax Map #644-1-2, 1, 19)

Request: Rezoning from R-20 (Residential 20) and NC (Neighborhood Commercial) to RM-16(D) (Multifamily Residential, Maximum of 16 Dwelling Units Per Acre with a Development Plan)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20 and NC and placing same in and establishing same as RM-16(D).

Zoning Committee's Recommendation and Vote: Approval (6-1)

City Manager's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Alan Hicks, representing the applicant, spoke in support of the request. He noted the applicant had complied with all requests by the administration.

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David Smith, Pastor of Bethesda United Methodist Church, stated he was not opposed to the rezoning; however, he wanted to know what type of development would be located in this area.

George Williams, representing the applicant, stated there would be 550 apartments units developed on the site with approximately 24 buildings.

No one spoke in opposition. Mayor Kerckhoff closed the public hearing.

Shelia Stains-Ramp, of the City/County Planning Department, stated the zoning being requested allows for a number of uses such as [boarding and rooming houses; conference centers; convalescent centers; daycare facilities; health clubs; retirement centers; schools; government facilities].

Council Member Clement informed the council that George Williams, one of the representatives for the applicant, was his brother-in-law. He noted he had no conflict of interest relative to this request and would be supporting the rezoning.

**MOTION** by Council Member Larson seconded by Council Member Miller to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20 and NC and placing same in and establishing same as RM-16(D) was approved at 9:09 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Council Member Engelhard. Absent: None.

**SUBJECT: ZONING MATTER CASE P97-69, SOUTHERN EQUIPMENT, SOUTHWEST CORNER OF THE INTERSECTION OF NC 55 AND CORNWALLIS ROAD**

Case: P97-69

Applicant: Southern Equipment

Location: Near the southeast corner of the intersection of NC 55 and Cornwallis Road (Tax Map #569, Block 5, Lots 2 and 3)

Request: Rezoning from OI-2 (General Office and Institutional) to I-2(D) (Light Industrial with a Development Plan)

To adopt an ordinance amending the Zoning Ordinance, the same

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being Chapter 24 of the Durham City Code, by taking the above described property out of OI-2 and placing same in and establishing same as I-2(D).

Zoning Committee's Recommendation and Vote: Approval (7-0)  
City Manager's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Jim Hendrick, representing the applicant, spoke in support of this request.

No one spoke in opposition. Mayor Kerckhoff closed the public hearing.

**MOTION** by Council Member Larson seconded by Council Member Miller to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of OI-2 and placing same in and establishing same as I-2(D) was approved at 9:17 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: ZONING MATTER CASE P97-25, CITY OF DURHAM,  
NORTHEAST CORNER OF THE INTERSECTION OF NC 55 AND  
RIDDLE ROAD**

Case: P97-25

Initiated by: City of Durham

Location: The site is located on the northeast corner of the intersection of NC 55 and Riddle Road (Tax Map #397, Block 1, Lot 3 Partial)

Request: Rezoning from CT (Commercial Trades) to R-5 (Residential 5)

Proposal: Implementation of *South Central Durham Plan*

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of CT and placing same in and establishing same as R-5.

Zoning Committee's Recommendation and Vote: Approval (7-0)

City Manager's Recommendation: Approval

Nazeeh Abdul-Hakeem, of the City/County Planning Department,

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presented a slide presentation on the purpose of this rezoning request initiated by the City.

Mayor Kerckhoff opened the public hearing. No one spoke on this rezoning request. The public hearing was declared closed by the Mayor.

**MOTION** by Council Member Larson seconded by Mayor Pro Tem Robinson to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of CT and placing same in and establishing same as R-5 was approved at 9:26 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**SUBJECT: ZONING MATTER CASE P97-26, CITY OF DURHAM,  
NORTHWEST CORNER OF THE INTERSECTION OF NC 55 AND  
RIDDLE ROAD**

Case: P97-26

Initiated by: City of Durham

Location: The 4+ acre site is located on the northwest corner of the intersection of NC 55 and Riddle Road (Tax Map #397, Block 4, Lots 1 and 2)

Request: Rezoning from CT (Commercial Trade) to NC (Neighborhood Commercial)

Proposal: Implementation of *South Central Durham Plan*

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of CT and placing same in and establishing same as NC.

Zoning Committee's Recommendation and Vote: Denial (7-0)

City Manager's Recommendation: Approval

**Note: Valid Protest Petition filed against this rezoning.**

Nazeeh Abdul-Hakeem, of the City/County Planning Department, presented a slide presentation on the purpose of this rezoning request initiated by the City.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

**Proponents**

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Lavonia Allison, Carolyn Thornton and Thomas Davis spoke in support of this rezoning request.

### **Opponents**

Attorney Jack Markham, representing Mr. & Mrs. Barnes, spoke in opposition to this request. Mr. Markham noted that Mr. Barnes acquired the property in 1954 and began operating Barnes Gulf at the site. He noted in later years, Mr. Barnes constructed a laundromat; a car wash; and a storage facility. He stated his clients now are retired and a very significant portion of their income comes from the leasing of the property which the city is now seeking to rezone. Attorney Markham noted the rezoning would not affect the operation of the convenient store, the car wash and possibly not affect the operation of the laundromat; however, it would impact upon the contractor's office and the light manufacturing operation. Mr. Markham noted under the zoning ordinance if a non-conforming use is discontinued for six months, then the non-conforming use can not be re-established. He stated it was a possibility that one or both of the non-conforming uses [the light manufacturing and the contracting office] - the tenants could leave if they wanted to expand their operations. Mr. Markham asked that the council deny this request.

Mayor Kerckhoff closed the public hearing.

Mr. Hakeem, of the City/County Planning Department, stated if the present owners actively market their land for that particular use, the six-month provision would not make it non-conforming.

A motion was made by Council Member Wright to approve the rezoning request. This motion was seconded by Council Member McKissick.

Council Members Clement and Griffin spoke in opposition to this rezoning request.

**MOTION** by Council Member Wright seconded by Council Member McKissick to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of CT and placing same in and establishing same as NC was approved at 9:54 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Cox, Engelhard, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Mayor Kerckhoff and Council Members Clement and Griffin. Absent: None.

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**SUBJECT: ZONING MATTER CASE P97-30, CITY OF DURHAM, WEST  
SIDE OF NC 55**

Case: P97-30

Initiated by: City of Durham

Location: Lots fronting the west side of NC 55 identified as  
Tax Map 408, Block 1, Lots 12 partial, 13, and 14

Request: Rezoning from CT (Commercial Trade) to NC  
(Neighborhood Commercial)

Proposal: Implementation of *South Central Durham Plan*

To adopt an ordinance amending the Zoning Ordinance, the same  
being Chapter 24 of the Durham City Code, by taking the above  
described property out of CT and placing same in and  
establishing same as NC.

Zoning Committee's Recommendation and Vote: Approval (4-3)

City Manager's Recommendation: Approval

**Note: Valid Protest Petition filed against this rezoning  
request.**

Nazeeh Abdul-Hakeem, of the City/County Planning Department,  
presented a slide presentation on the purpose of this  
rezoning request initiated by the City.

As this was the time and place set for the public hearing,  
anyone interested was given the opportunity to be heard.

Delton Holloway spoke in opposition to this request and asked  
that the current zoning be maintained.

Mayor Kerckhoff asked if there were other citizens present  
wishing to speak on this item. The public hearing was  
declared closed.

**MOTION** by Council Member Miller seconded by Council Member  
Larson to adopt an ordinance amending the Zoning Ordinance,  
the same being Chapter 24 of the Durham City Code, by taking  
the above described property out of CT and placing same in  
and establishing same as NC was approved at 10:02 p.m. by the  
following vote: Ayes: Mayor Pro Tem Robinson and Council  
Members Brown, Cox, Engelhard, Hyman, Langley, Larson,  
McKissick, Miller and Wright. Noes: Mayor Kerckhoff and  
Council Members Clement and Griffin. Absent: None.

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**SUBJECT: REVISIONS TO THE ZONING ORDINANCE AND SUBDIVISION  
ORDINANCE CONCERNING RAIL-TRAIL PROTECTION,  
BUILDING DESIGN, AND CLASS C MANUFACTURED HOMES**

- a. Ordinance to Amend the Durham Zoning Ordinance  
Concerning Railroad Corridor Protection (TC 55)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member McKissick seconded by Council Member Larson to receive citizens' comments on the proposed Zoning Ordinance Amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Concerning Railroad Corridor Protection" (TC 55) was approved at 10:03 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**Ordinance #11303**

- b. Ordinance to Amend the Durham Subdivision Ordinance to  
Protect Railroad Corridors (STC97-1)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Miller to receive citizens' comments on the proposed Subdivision Ordinance Amendment; and

To adopt "An Ordinance to Amend the Durham Subdivision Ordinance to Protect Railroad Corridors" (STC97-1) was approved at 10:04 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**Ordinance #11304**

- c. An Ordinance to Amend the Durham Zoning Ordinance  
Concerning Building Design Requirements on Certain  
Development and Site Plans (TC62-97)



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As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Miller to receive citizens' comments on the proposed Zoning Ordinance Amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Concerning Building Design Requirements on Certain Development and Site Plans" (TC62-97) was approved at 10:04 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**Ordinance #11305**

- d. An Ordinance to Amend the Durham Zoning Ordinance to Allow Class C Manufactured Homes as a Temporary Use During New Home Construction (TC64-97)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Miller to receive citizens' comments on the proposed Zoning Ordinance Amendment; and

To adopt "An Ordinance Amend to the Durham Zoning Ordinance to Allow Class C Manufactured Homes as a Temporary Use During New Home Construction" (TC64-97) was approved at 10:04 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

**Ordinance #11306**

**SUBJECT: TAXICAB INSPECTOR'S REPORT (OCTOBER MEETING OF TAXICAB COMMISSION CANCELED DUE TO THE LACK OF A QUORUM)**

To receive a report from the Taxicab Inspector and to take

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action on the recommendations of the Taxicab Inspector--  
pursuant to Section 22.159.10(b) of the Durham City Code as  
follows:

Transfer of Operator's Licenses

a. United Cab #20 (Joe Bass)

Transfer of Operator's License #20 from Joe Bass to Alfred  
Clark

Taxicab Inspector's Recommendation: Approval of Transfer--  
pursuant to Section 22.159.10(b) of the Durham City Code

**MOTION** by Council Member Wright seconded by Council Member  
McKissick to approve the Taxicab Inspector's recommendation  
[approve transfer of operator's license #20 from Joe Bass to  
Alfred Clark] was approved at 10:05 p.m. by the following  
vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and  
Council Members Brown, Clement, Cox, Engelhard, Griffin,  
Hyman, Langley, Larson, McKissick, Miller and Wright. Noes:  
None. Absent: None.

b. Weeks' Cab #90 (Willie Weeks, III)

Transfer of Operator's License #90 from Willie Weeks to  
Zaheer Bajwa

Taxicab Inspector's Recommendation: Approval of Transfer--  
pursuant to Section 22.159.10(b) of the Durham City Code

**MOTION** by Council Member Wright seconded by Council Member  
McKissick to approve the Taxicab Inspector's recommendation  
[approve transfer of operator's license #90 from Willie Weeks  
to Zaheer Bajwa] was approved at 10:05 p.m. by the following  
vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and  
Council Members Brown, Clement, Cox, Engelhard, Griffin,  
Hyman, Langley, Larson, McKissick, Miller and Wright. Noes:  
None. Absent: None.

There being no further business to come before the Council,  
the meeting was adjourned at 10:05 p.m.

D. Ann Gray  
Deputy City Clerk

Margaret M. Bowers, CMC  
City Clerk